

224470



MARION COUNTY COMMISSION
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February 4, 2008

Via electronic mail

Honorable Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 East Street, SW
Washington, DC 20423

FILED **FILE** **WAIVED**

Re STB Docket No. AB-55 (Sub-No. 656X) – *CSX Transportation, Inc. – Abandonment Exemption in Marion County, West Virginia*

Dear Secretary Quinlan:

The Marion County Commission (County) requested a notice of interim trail use/rail banking for approximately 17.51 miles of railroad on its Southern Region, Huntington Division East, Fairmont Subdivision, between Barrackville, milepost BS-306.32 and Mannington, milepost BS-319.48, including the Dents Run Spur between milepost BSB 0.00 and milepost BSB 4.35, in Marion County, West Virginia in the above-captioned proceeding. The last extension of the negotiating period expires on March 20, 2009.

From the date of the last extension and continuing to date, the County and CSX Transportation, Inc. (CSXT) were in discussions regarding the proposed trails and hoped to reach a final agreement in advance of the NITU extension deadline. In addition to negotiating with CSXT, the County was simultaneously working to secure funding for the trail. However, the County has not heard word on funding and thought it best to go ahead and secure another extension.

The County has discussed this issue at length with CSXT [and the state rail agencies], and the parties have renewed their commitment to reaching a final agreement with respect to this trail in a timely fashion. For this reason, the County respectfully requests that the Board grant this extension request so that it may continue negotiations and have time to secure funding. CSXT has acknowledged its consent to this extension request and has informed the County that it will file a letter with the Board.

regarding this matter and its consent

In addition, the County respectfully requests a waiver of the Board's filing fees in accordance with 49 CFR 1002.2(e)(1)

The County is e-filing this letter. Thank you for your assistance.

Sincerely yours,

Richard Walton

Richard Walton, Planning & Development Director

cc: Parties of Record